

**REAL ESTATE APPRAISERS BOARD MEETING  
MINUTES  
JULY 13, 2005**

**PRESENT:** Mark Kowbel, Sharon Fiedler, Roger Roslansky (via telephone), Karen Scott, LaMarr Franklin, and Marla Britton

**STAFF PRESENT:** Kimberly Nania, Division Administrator, Ruby Jefferson-Moore, Legal Counsel; John Schweitzer, Attorney; Pat Schenck, Program Assistant; and Division of Enforcement Staff.

**GUESTS:** Debbi Conrad, Wisconsin Realtors Association

**CALL TO ORDER**

Mark Kowbel, Chair, called the meeting to order at 9:00 a.m. A quorum of six voting members was present.

**AGENDA**

**Additions to Agenda:**

- Add Larry B. Fort to Item 17 e.
- Add Gregory W. Kort update to Item 17 a.

**MOTION:** LaMarr Franklin seconded by Karen Scott, to adopt the agenda as published with additions. Motion carried unanimously.

**APPROVAL OF MINUTES MAY 11, 2005**

**Amendments to Minutes:**

- Page 5 of 7 - insert Karen Scott-yes; and delete Patrick Buckett-yes; under Closed Session.

**MOTION:** Karen Scott moved, seconded by Roger Roslansky, to approve the minutes of May 11, 2005 as amended. Motion carried unanimously.

**ADMINISTRATIVE REPORT**

**Secretary Celia Jackson**

Secretary Celia Jackson met with the Board and asked for any questions or concerns the Board may have regarding the Department. Secretary Jackson stated that the Department wants to build relationships with the Boards regarding issues that the Boards are working on. The Department is actively seeking a new Bureau Director for the Business and Design Professions.

The Board questioned the Department's budget issue and stated that they would like to send more than one Board member to the 2005 AARO Conference in Washington, DC, on October 8-

11, 2005. The Board discussed other creative ways to have more than one Board member in attendance at a Conference. Members should take advantage of any grants that are available to cover travel expenses.

Ms. Nania updated the Board on the building renovation project.

### **2006 Meeting Dates**

**MOTION:** Roger Roslansky moved, seconded by Sharon Fiedler, to approve the 2006 meeting dates as scheduled. Motion carried unanimously.

### **Summary Reports on Pending Court Cases, Disciplinary Cases and Administrative Rules and Press Releases**

Noted.

### **PRESENTATION OF PROPOSED STIPULATIONS BY DIVISION OF DIVISION OF ENFORCEMENT INCLUDING STIPULATIONS SIGNED AFTER THE MAILING OF THE AGENDA**

John Schweitzer, Attorney, presented the following stipulation in open session:

- i. John D. Walsh 00 APP 016

### **TRAVEL**

### **2005 Fall AARO Conference, Washington, D.C. - October 8-11, 2005**

**MOTION:** Karen Scott moved, seconded by LaMarr Franklin, to nominate Sharon Fielder to represent the Real Estate Appraisers Board at the 2005 Fall AARO Conference in Washington, D.C. on October 8-11, 2005 and to nominate Dr. Barbara Showers as the alternate. Motion carried unanimously.

### **EDUCATION, EXPERIENCE, AND EXAMINATION ISSUES**

### **Minutes of May 10, 2005 of the REA Education and Experience Advisory Committee Meeting**

Information only.

### **LEGISLATION AND ADMINISTRATIVE RULES**

### **Review of Revisions to RL 80-87**

Ms. Jefferson-Moore reported on revisions to RL 80-87. The draft of the rules will be complete by the end of the week. Wisconsin has adopted the segmented approach for the implementation of the AQB requirements and surrounding states are using the firm approach. The impact on surrounding states will be reviewed.

A timetable on implementing the 2008 AQB requirements should be completed in October.

### **Review of Revisions to Ch. RL 87, Code, Appendix 1 (2006 USPAP)**

Revisions to USPAP will be completed by the end of the week.

## **PRACTICE ISSUES**

None.

## **APPRAISER QUALIFICATIONS BOARD REAL PROPERTY APPRAISER QUALIFICATION CRITERIA EFFECTIVE JANUARY 1, 2008**

### **Implementation Proposal for 2008 Criteria**

Information only, no discussion took place.

### **Required Core Curriculum Effective January 1, 2008**

Information only, no discussion took place.

## **APPRAISAL STANDARDS BOARD SURVEY RESULTS**

### **Appraisal Foundation Survey of Appraisal Practice**

Information only.

## **BOARD MEMBER ACTIVITY**

Karen Scott reported that the REA Application Advisory Committee is reviewing about 20 or more appraisal reports for each meeting. There are currently new fanny mae forms that will take care of some of the issues the Committee was having regarding intended use, intended user and scope of work issues.

## **ASC ISSUES AND CORRESPONDENCES**

### **AQB 2008 Criteria - Implementation**

Ms. Jefferson-Moore reported on the AQB 2008 Criteria Implementation from the Appraisal Subcommittee to assist State Boards in adopting the 2008 Criteria for licensed appraisers and trainees. States must implement the 2008 Criteria for certified residential and certified general appraisers by January 1, 2008. Issues discussed included:

- How States can implement the 2008 Criteria – Segmented vs. Firm Date options
- The 2008 Criteria do not become effective for several years; why do I need to think about this now?
- What happens if a State fails to choose an implementation approach?
- Will the ASC provide Firm Date States with any flexibility regarding credential issuance dates?
- What if a Firm Date State still needs more time?
- What is the impact of adopting and implementing the 2008 Criteria early?
- What happens if a State does not implement the 2008 Criteria by January 1, 2008?
- What is the ASC doing to assist States in their implementation efforts?
- Is there anything else that the ASC can do to assist States in implementing the 2008 Criteria?

### **INFORMATIONAL MATTERS**

#### **Columbia Institute Education Programs**

Informational only.

### **VISITORS COMMENTS**

None.

### **HEARING ON PETITION FOR SUMMARY SUSPENSION**

#### **Larry B. Fort - 10:30 a.m.**

John Schweitzer presented the petition for summary suspension in the matter concerning Larry B. Fort.

Larry B. Fort appeared in person before the Board to respond to the petition for summary suspension.

### **CLOSED SESSION**

**MOTION:** LaMarr Franklin moved, seconded by Karen Scott, to convene to Closed Session to deliberate on cases involving hearings (s. 19.85 (11) (a), Stats.); to consider licensure or discipline (s. 19.85(1) (b), Stats. to consider individual histories or disciplinary data (s. 19.85(1) (f), Stats.); and to

confer with legal counsel (s. 19.85(1) (g), Stats. Motion carried by roll call vote: Sharon Fiedler-yes, Mark Kowbel-yes, Roger Roslansky-yes, LaMarr Franklin-yes, Karen Scott-yes; Marla Britton-yes.

Open Session recessed at 11:26 a.m.

### **RECONVENE TO OPEN SESSION**

**MOTION:** LaMarr Franklin moved, seconded by Roger Roslansky, to reconvene into Open Session at 12:33 p.m. Motion carried unanimously.

### **VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION, IF VOTING IS APPROPRIATE MONITORING REPORT**

#### **GREGORY W. KORT 03 APP 035**

The Board reviewed the update in the matter concerning Gregory W. Kort 03 APP 035.

### **CASE CLOSINGS**

#### **02 APP 001**

**MOTION:** LaMarr Franklin moved, seconded by Karen Scott, to close case **02 APP 001** for prosecutorial discretion (P3). Case Advisor, Sharon Fiedler. Motion carried.

#### **02 APP 040**

**MOTION:** LaMarr Franklin moved, seconded by Sharon Fiedler, to close case **02 APP 040** for prosecutorial discretion (P1). Case Advisor, Mark Kowbel. Motion carried.

### **PROPOSED DECISION**

None.

### **STIPULATION**

#### **JOHN D WALSH 00 APP 016**

**MOTION:** Roger Roslansky moved, seconded by LaMarr Franklin, to adopt the Stipulation, Final Decision and Order, Findings of Fact, Conclusions of Law and Order in the matter concerning **John D. Walsh 00 APP 016**. Motion carried unanimously.

**SUMMARY SUSPENSION  
LARRY B. FORT**

**MOTION:** LaMarr Franklin moved, seconded by Sharon Fiedler, to approve the petition to summarily suspend Larry B. Fort's real estate appraisers license number 4-734 issued by the Wisconsin Department of Regulation and Licensing. Motion carried unanimously.

**MOTION:** LaMarr Franklin moved, seconded by Karen Scott, to allow the administrative law judge to make the final decision in any disciplinary proceedings. Motion carried unanimously.

**MOTION:** LaMarr Franklin moved, seconded by Karen Scott, to designate the Board Chair, Mark Kowbel, to review and approve the Order of Suspension. Motion carried unanimously.

**ADMINISTRATIVE WARNING  
CONFER WITH LEGAL COUNSEL  
SUCH OTHER ITEMS AS AUTHORIZED BY LAW**

None.

**ADJOURNMENT**

**MOTION:** LaMarr Franklin moved, seconded by Roger Roslansky, to adjourn the meeting at 12:39 p.m. Motion carried unanimously.

**Next Meeting: October 19, 2005**

**Suggested Agenda Items:**

- Role of supervisory appraisers – with DOE investigators and legal counsel from DOE present for discussion.